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November 22, 2005

*Admitted to NY and NJ Bars

Chambers of the Honorable Leonard D. Wexler
United States District Court
Eastern District of New York
814 Federal Plaza
Central Islip, New York 11722

Re: *Seaton v. County of Suffolk, et al.*
Index No.: CV 04-0739 (LDW) (ARL)

Dear Justice Wexler:

When the above referenced matter was instituted, the Complaint included causes of action alleging violations of 42 U.S.C. §1983. After reviewing discovery obtained from the Defendants and conducting several depositions, we have determined that said causes of action do not exist. The parties herein entered into a Stipulation withdrawing said causes of action from the above referenced matter.

Additionally, we have agreed to remand this matter to New York State Supreme Court, County of Suffolk. An executed copy of the Stipulation is annexed hereto.

It is respectfully requested that Justice Wexler execute the enclosed "Order" and remand this matter to New York State Supreme Court, County of Suffolk.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

/s/

MICHAEL V. BUFFA (MB-7923)

Enclosures

cc:

Christine Malafi, Suffolk County Attorney
100 Veterans Memorial Highway, P.O. Box 6100
Hauppauge, New York 11788-0099
Attn: Ms. Susan Flynn

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
KATHLEEN SEATON, as ADMINISTRATRIX
of the ESTATE of JOSE A. COLON and KATHLEEN
SEATON, Individually,

STIPULATION

CV 04-0739 (LDW) (ARL)

Plaintiffs,

- against -


THE COUNTY OF SUFFOLK, THE SUFFOLK COUNTY
POLICE DEPARTMENT, POLICE OFFICER TONY
GONZALEZ, POLICE COMMISSIONER JOHN
GALLAGHER, in his official capacity and JOHN DOES
intended to be police officers who were present
at the scene and whose identities are presently unknown,

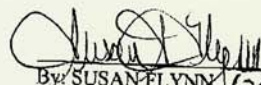
Defendants.
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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys
for the parties hereto, that Causes of Action One through Eight, inclusive, of Plaintiffs' Complaint,
which allege violations of 42 U.S.C. §1983, are hereby withdrawn.

IT IS FURTHER STIPULATED AND AGREED, that this matter shall be remanded to
Supreme Court, Suffolk County.

Dated: Holtsville, New York
 November 16, 2005


By: MICHAEL W. BUFFA (MB-7923)
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By: SUSAN FLYNN (SAF 3652)
CHRISTINE MALAFI
Suffolk County Attorney
100 Veterans Memorial Highway
P.O. Box 6100
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(631) 853-4049

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2005, the foregoing documents were filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants.

Christine Malafi, Suffolk County Attorney
100 Veterans Memorial Highway, P.O. Box 6100
Hauppauge, New York 11788-0099

/s/

MICHAEL V. BUFFA (MB-7923)
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